IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.45597 of 2008
ARBIND MISHRA
Versus
STATE OF BIHAR
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2. **12.12.2008** Heard Sri Deepak Kumar, Advocate for the petitioner and the learned A.P.P. for the State.

The petitioner is a pick-pocket and he had picked the pocket of the informant up and took away Rs.40,000/-. Incidentally, the money along with some documents slipped out of the bag of the informant and as such, the petitioner was caught and was handed over to the police with the money.

The contention is that the petitioner has wrongly and falsely been implicated by the informant and the police arrested him in place of the real culprit. It is further contended that no blade was recovered.

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If one could carefully go through the FIR, one could find that as soon as the money and some documents slipped out of the bag, which was in possession of the petitioner, the informant was put on alert to raise a cry and persons present there, apprehended the petitioner. One does not know as to how a pick-pocket operate so as not to be found with any instrument which could have been used while committing the offence.

Petition is dismissed.

(Dharnidhar Jha, J.)

B.Kr.